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CONT.*

--61. A composite for a liner use in an apparel according to claim 60, wherein the open cell foam material is treated to have reversible enhanced thermal properties.--

REMARKS

Claims 1, 4, 8-10, 17, 27, 29, 41, 42 and 44 have been amended. Claim 16 has been canceled without prejudice or disclaimer. New claims 45-61 have been added. Accordingly, claims 1-4, 7-10, 13, 20-32, 34, 36-38, 40-42 and 44-61 are currently pending in the application.

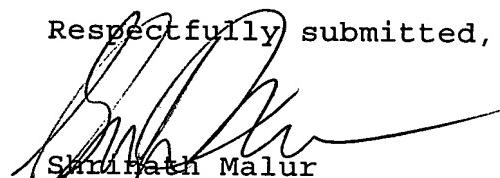
The claims have been amended to more clearly define Applicant's invention and to remove minor informalities. New independent claims 50 and 60 are patterned after allowed claims 26 and 28, respectively, but recite that the outer layer comprises encapsulated synthetic fibers as opposed to an encapsulated cotton or cotton blend.

In order to assist the Examiner in examining this application, a clean copy of the claims is also enclosed. This clean copy of the claims is arranged such that each independent claim is immediately followed by claims dependent thereon. Therefore, the claims in the clean copy are not presented in numerical order.

It is submitted that in light of the arguments contained in the previously-filed response, all of the pending claims patentably define the present invention over the cited art.

In view of the foregoing amendments and remarks, Applicants contend that the above-identified application is now in condition for allowance. Accordingly, reconsideration and reexamination are respectfully requested.

Respectfully submitted,



Shrinath Malur
Registration No. 34,663
Attorney for Applicant

MATTINGLY, STANGER & MALUR
1800 Diagonal Rd., Suite 370
Alexandria, Virginia 22314
(703) 684-1120
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MARKED UP VERSION OF REWRITTEN CLAIMS

1. (Amended) A moisture transfer apparel to be worn by an individual comprising, on at least a portion of the apparel, a combination of layers [constructed as follows] comprising:

a first layer, closest to the individual, the first layer being an inner moisture transfer material;

a second layer, abutting the first layer, including a foam material;

a third layer, abutting the second layer, including a [breathable membrane] nonwoven material; and

a fourth layer, abutting the third layer, the fourth layer being an outer moisture transfer material treated by encapsulation for waterproofing.

4. (Amended) The moisture transfer apparel according to claim 1, wherein the fourth layer is laminated to the [breathable membrane] nonwoven of the third layer.

8. (Amended) A moisture transfer apparel to be worn by an individual comprising, on at least a portion of the apparel, a combination of layers comprising:

a first layer, closest to an individual, the first layer being an inner moisture transfer material;

a second layer, abutting the first layer, including a foam material; [and]

a third layer, abutting the second layer, including a breathable membrane; and

a [third] fourth layer, abutting the [second] third layer, the [third] fourth layer being an outer moisture transfer material treated by encapsulation for waterproofing,

wherein the second layer includes a non-woven material attached to the foam material such that it is between the foam material and the third layer.

9. (Amended) The moisture transfer apparel according to claim 8, wherein at least two of the first, second, [and] third and fourth layers are attached to each other by lamination.

10. (Amended) The moisture transfer apparel according to claim 8, wherein at least two of the first, second, [and] third and fourth layers are attached to each other by mechanical bonding.

17. (Amended) The moisture transfer apparel according to claim 1[6], wherein the second layer [is an] and third layer are formed as an elastomeric composite having [a non-woven] the nonwoven material attached to the foam.

27. (Amended) A composite for a liner used in an apparel as claimed in claim 26, wherein the foam material is treated to have reversible [and] enhanced thermal properties.

29. (Amended) An apparel to be worn by an individual comprising:

an outer [fabric layer] moisture transfer material treated by encapsulation for waterproofing;

a foam layer abutting the outer [fabric] moisture transfer material; and

a non-woven material attached to the foam layer such that the foam layer is located between the non-woven material and the outer [fabric] moisture transfer material, wherein the foam layer is an open cell foam and is treated to have reversible enhanced thermal properties.

41. (Amended) An apparel to be worn by an individual comprising:

an outer [fabric layer] moisture transfer material which is treated by encapsulation for waterproofing;

a foam layer abutting the outer [fabric] moisture transfer material; and

a non-woven material attached to the foam layer such that the foam layer is located between the non-woven material and the outer [fabric layer] moisture transfer material, wherein the foam layer is treated with microencapsulation technology which can adjust to temperature changes.

42. (Amended) An apparel according to claim 41, wherein the outer [fabric layer] moisture transfer material is an encapsulated cotton blend.

44. (Amended) An apparel according to claim 41, wherein the outer [fabric layer] moisture transfer material is one of a group consisting of denim and chino fabrics.